

### REMARKS

Claims 1-4 and 6 have been amended. Claim 5 has been canceled. Thus, claims 1-4 and 6 are now pending in the present application. Support for the amendment to claim 1 may be found in original claim 5, and in the specification at page 21, line 12, to page 22, line 13. No new matter has been added. Reconsideration and withdrawal of the present rejection in view of the remarks presented herein are respectfully requested.

#### Rejection under 35 U.S.C. § 103(a)

Claims 1-6 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sasaki et al. (US 7,198,880). The Examiner alleges that it would have been obvious to prepare the material of Sasaki et al. choosing to have -OH groups on the -OCH<sub>2</sub> groups in place of -OR and/or also to substitute the H atoms with F atoms.

The photoresist composition recited in amended claim 1 includes a base material resin component (A), an acid generator component (B), and at least one nitrogen-containing compound (D) selected from tertiary alkanolamines containing 6 to 12 carbon atoms. Sasaki et al. do not disclose a “tertiary alkanolamine containing 6 to 12 carbon atoms”. In particular, Sasaki et al. neither disclose nor suggest amines containing three alkanol groups (see column 100, lines 25-31 of Sasaki et al.). In addition, the Examples of Sasaki et al. neither disclose nor suggest a photoresist composition containing a “tertiary alkanolamines containing 6 to 12 carbon atoms” (see column 110, lines 50-59, column 111, lines 40-55, column 114, lines 20-50, and column 117, lines 30-65 of Sasaki et al.). As these compounds are not disclosed or in any way suggested by Sasaki et al., it is respectfully submitted that claim 1 as amended is not obvious over this reference.

#### Unexpected results

The presently claimed invention also has unexpected, advantageous results that would effectively rebut any allegation of *prima facie* obviousness based on Sasaki et al. The photoresist composition recited in present claim 1 can achieve a fine pattern with high resolution, the prevention of thickness loss of the resist pattern, and the reduction in developing defects (see present specification at page 5, line 19 to page 6, line 2). In addition, this photoresist composition results in significant reduction of thickness loss of the top part of a fine resist

pattern (present specification at page 22, lines 8-13). According to Example 2 of the present specification (page 30, lines 16-20), when the photoresist composition includes triisopropanolamine as a quencher (i.e. nitrogen-containing compound), a line and space pattern with a line width of 120 nm was obtained, and the pattern shape showed rectangularity.

These unexpected results are neither disclosed nor suggested by Sasaki et al. and could not have been predicted based on this reference. In addition, these unexpected results would effectively rebut any allegation of *prima facie* obviousness if one were present, and strongly support the nonobviousness of the present claims. Thus, claim 1 should now be allowable. Since claims 2-4 and 6 are either directly or indirectly dependent on Claim 1, they should also be allowable.

In view of the comments presented above, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a).

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

Applicants submit that all claims are in condition for allowance. However, if minor matters remain, the Examiner is invited to contact the undersigned at the telephone number provided below. If any additional fees are required, please charge these to Deposit Account No. 11-1410. Should there be any questions concerning this application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

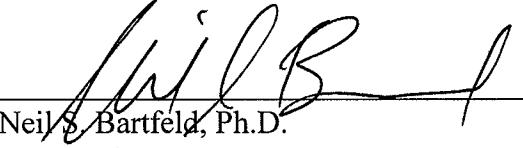
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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: 7/16/09

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